



**NOAA
FISHERIES**

**Pacific Islands
Regional Office**



COMPLIANCE GUIDE

Requirements for Fishing in the Marianas Trench, Pacific Remote Islands, and Rose Atoll Marine National Monuments

August 1, 2013

This guide provides information on how to comply with fishing requirements in the Marianas Trench, Pacific Remote Islands, and Rose Atoll Marine National Monuments. Regulations are subject to change, so fishermen must familiarize themselves with the most recent changes and are responsible to comply with them. Any discrepancies between this compliance guide and the regulations will be resolved in the favor of the regulations published in the *Federal Register* (78 FR 32996, June 3, 2013, and 78 FR 39583, July 2, 2013) and Title 50 of the Code of Federal Regulations, Part 665 (50 CFR 665).

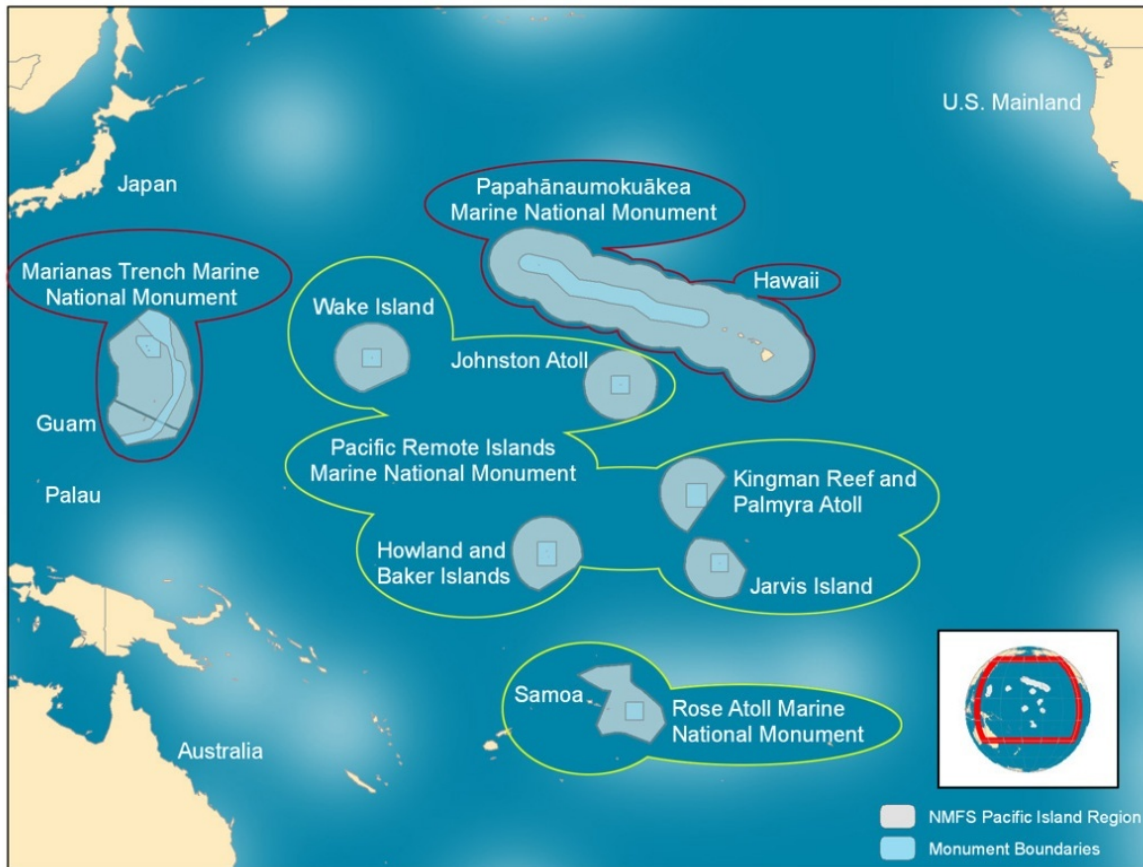
Q1. What are the Monuments?

On January 6, 2009, President Bush established three Marine National Monuments in the Pacific Islands under the authority of the Antiquities Act. Presidential Proclamation 8335 established the Marianas Trench Monument, Proclamation 8336 established the Pacific Remote Islands Monument, and Proclamation 8337 established the Rose Atoll Monument. The Proclamations define the Monuments' boundaries, prohibit commercial fishing, and address the management of monument resources.

The Proclamations directed the Secretary of Commerce, in consultation with the Secretary of the Interior, to take action under the Magnuson-Stevens Fishery Conservation and Management Act to regulate fisheries and ensure proper care and management of the Monuments. In compliance with the Proclamations, the Western Pacific Fishery Management Council recommended incorporating the Proclamations' fishery management provisions into its fishery ecosystem plans, and recommended that the National Marine Fisheries Service (NMFS) establish certain provisions relating to traditional indigenous fishing practices. This compliance guide highlights provisions from the NMFS final rules implementing fishery management measures in the Monuments.

Q2. Where are the Monuments?

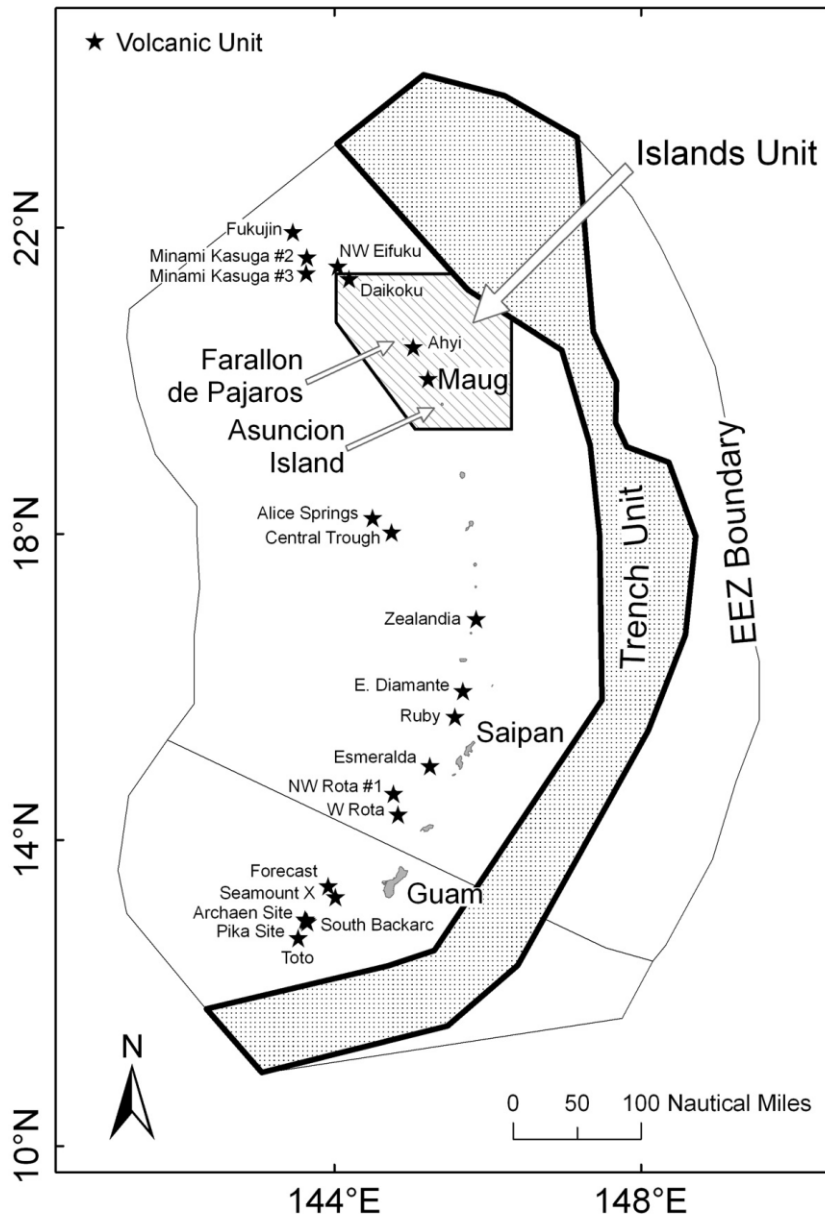
The following figure shows the general locations of the Monuments in the Pacific. Note that this compliance guide does not pertain to the Papahānaumokuākea Marine National Monument. Information about that Monument can be found at www.papahānaumokuākea.gov.



Q3. What are the specific boundaries of the Monuments?

1. Marianas Trench Monument

The Marianas Trench Monument consists of three different areas in the Northern Mariana Islands, including: (i) the Islands Unit; (ii) the Volcanic Unit and; (iii) the Trench Unit.



(i) Islands Unit. The Islands Unit includes the waters and submerged lands of the three northernmost Mariana Islands (Farallon de Pajaros (Uracas), Maug, and Asuncion). The shoreward boundary of the Islands Unit is the mean low water line. The seaward boundary of Islands Unit is defined by straight lines connecting the following coordinates in the order listed:

ID	E. long.	N. lat.
1	144° 1' 22.97"	21° 23' 42.40"
2	145° 33' 25.20"	21° 23' 42.40"
3	145° 44' 31.14"	21° 11' 14.60"
4	146° 18' 36.75"	20° 49' 17.46"
5	146° 18' 36.75"	19° 22' 0.00"
6	145° 3' 12.22"	19° 22' 0.00"
7	144° 1' 22.97"	20° 45' 44.11"
1	144° 1' 22.97"	21° 23' 42.40"

(ii) Volcanic Unit. The Volcanic Unit includes the submerged lands of designated volcanic sites. The boundaries of the Volcanic Unit are defined as circles of a one nautical mile radius centered on each of the following points:

ID	E. long.	N. lat.
Fukujin	143° 27' 30"	21° 56' 30"
Minami Kasuga #2	143° 38' 30"	21° 36' 36"
N.W. Eifuku	144° 2' 36"	21° 29' 15"
Minami Kasuga #3	143° 38' 0"	21° 24' 0"
Daikoku	144° 11' 39"	21° 19' 27"
Ahyi	145° 1' 45"	20° 26' 15"
Maug	145° 13' 18"	20° 1' 15"
Alice Springs	144° 30' 0"	18° 12' 0"
Central trough	144° 45' 0"	18° 1' 0"
Zealandia	145° 51' 4"	16° 52' 57"
E. Diamante	145° 40' 47"	15° 56' 31"
Ruby	145° 34' 24"	15° 36' 15"
Esmeralda	145° 14' 45"	14° 57' 30"
N.W. Rota #1	144° 46' 30"	14° 36' 0"
W. Rota	144° 50' 0"	14° 19' 30"
Forecast	143° 55' 12"	13° 23' 30"
Seamount X	144° 1' 0"	13° 14' 48"
South Backarc	143° 37' 8"	12° 57' 12"
Archaean site	143° 37' 55"	12° 56' 23"
Pika site	143° 38' 55"	12° 55' 7"
Toto	143° 31' 42"	12° 42' 48"

(iii) Trench Unit. The Trench Unit includes the submerged lands of the Marianas Trench. The boundary of the Trench Unit extends from the northern limit of the Exclusive Economic Zone (EEZ) around the Commonwealth of the Northern Mariana Islands to the southern limit of the EEZ around Guam as defined by straight lines connecting the following coordinates in the order listed:

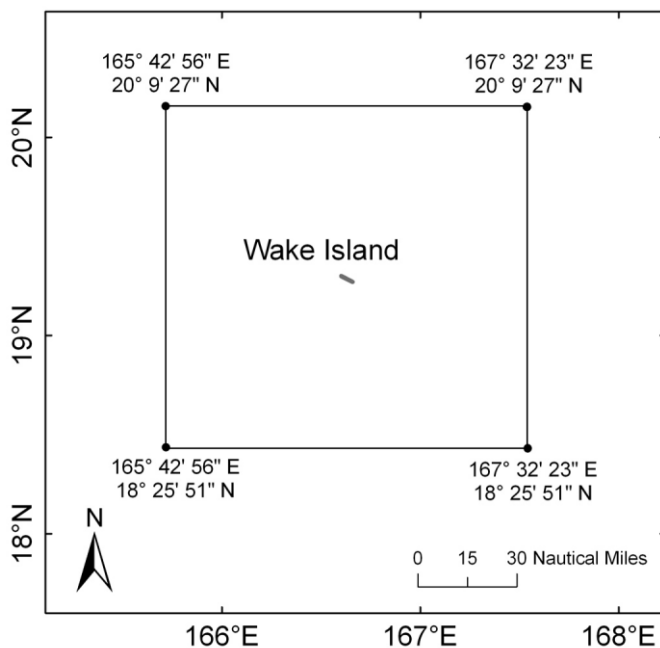
ID	E. long.	N. lat.
1	145° 5' 46"	23° 53' 35"
2	145° 52' 27.10"	23° 45' 50.54"
3	146° 36' 18.91"	23° 29' 18.33"
4	147° 5' 16.84"	23° 11' 43.92"
5	147° 22' 31.43"	20° 38' 41.35"
6	147° 40' 48.31"	19° 59' 23.30"
7	147° 39' 59.51"	19° 27' 2.96"
8	147° 48' 51.61"	19° 8' 18.74"
9	148° 21' 47.20"	18° 56' 6.46"
10	148° 42' 50.50"	17° 58' 2.20"
11	148° 34' 47.12"	16° 40' 53.86"
12	148° 5' 39.95"	15° 25' 51.09"
13	146° 23' 24.38"	12° 21' 38.38"
14	145° 28' 33.28"	11° 34' 7.64"
15	143° 3' 9"	10° 57' 30"
16	142° 19' 54.93"	11° 47' 24.83"
17	144° 42' 31.24"	12° 21' 24.65"
18	145° 17' 59.93"	12° 33' 5.35"
19	147° 29' 32.24"	15° 49' 25.53"
20	147° 27' 32.35"	17° 57' 52.76"
21	147° 20' 16.96"	19° 9' 19.41"
22	146° 57' 55.31"	20° 23' 58.80"
23	145° 44' 31.14"	21° 11' 14.60"
24	144° 5' 27.55"	23° 2' 28.67"
1	145° 5' 46"	23° 53' 35"

2. Pacific Remote Islands Marine National Monument

The Pacific Remote Islands Monument includes the waters and submerged and emergent lands of Wake, Baker, Howland, and Jarvis Islands, Johnston Atoll, Kingman Reef, and Palmyra Atoll.

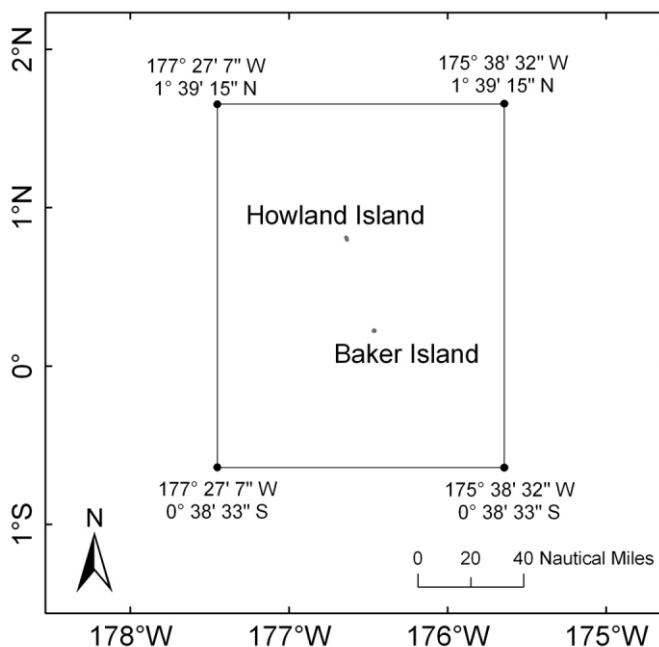
(i) **Wake Island.** The Wake Island unit of the Monument includes the waters and submerged and emergent lands around Wake Island within an area defined by straight lines connecting the following coordinates in the order listed:

ID	E. long.	N. lat.
1	165° 42' 56"	20° 9' 27"
2	167° 32' 23"	20° 9' 27"
3	167° 32' 23"	18° 25' 51"
4	165° 42' 56"	18° 25' 51"
1	165° 42' 56"	20° 9' 27"



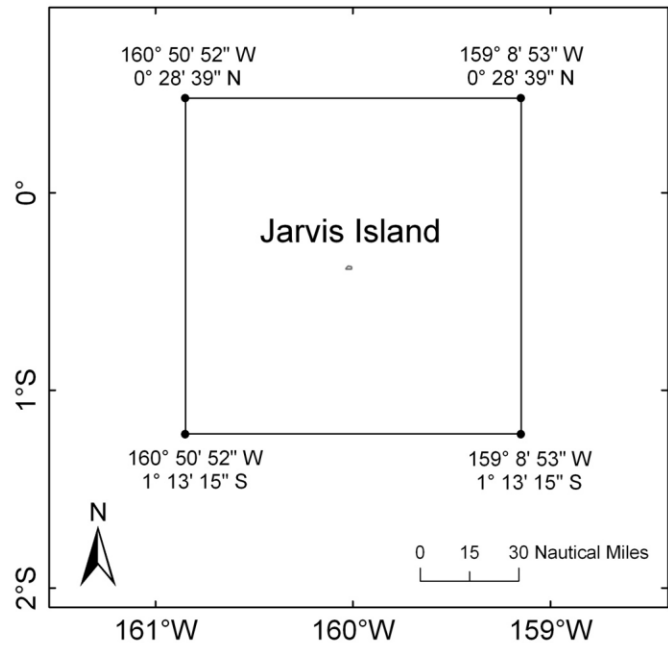
(ii) **Howland and Baker Islands.** The Howland and Baker Islands unit of the Monument include the waters and submerged and emergent lands around Howland and Baker Islands within an area defined by straight lines connecting the following coordinates in the order listed:

ID	W. long.	Lat.
1	177° 27' 7"	1° 39' 15" N.
2	175° 38' 32"	1° 39' 15" N.
3	175° 38' 32"	0° 38' 33" S.
4	177° 27' 7"	0° 38' 33" S.
1	177° 27' 7"	1° 39' 15" N.



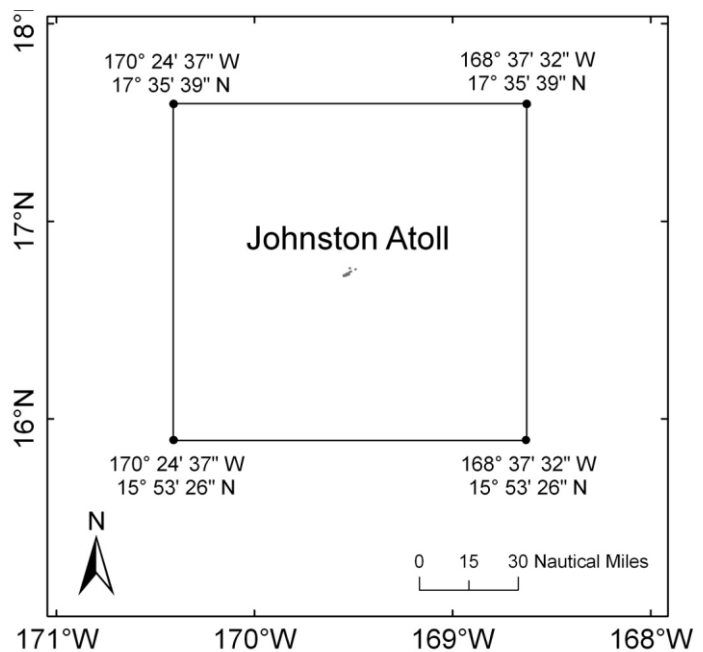
(iii) Jarvis Island. The Jarvis Island unit of the Monument includes the waters and submerged and emergent lands around Jarvis Island within an area defined by straight lines connecting the following coordinates in the order listed:

ID	W. long.	Lat.
1	160° 50' 52"	0° 28' 39" N.
2	159° 8' 53"	0° 28' 39" N.
3	159° 8' 53"	1° 13' 15" S.
4	160° 50' 52"	1° 13' 15" S.
1	160° 50' 52"	0° 28' 39" N.



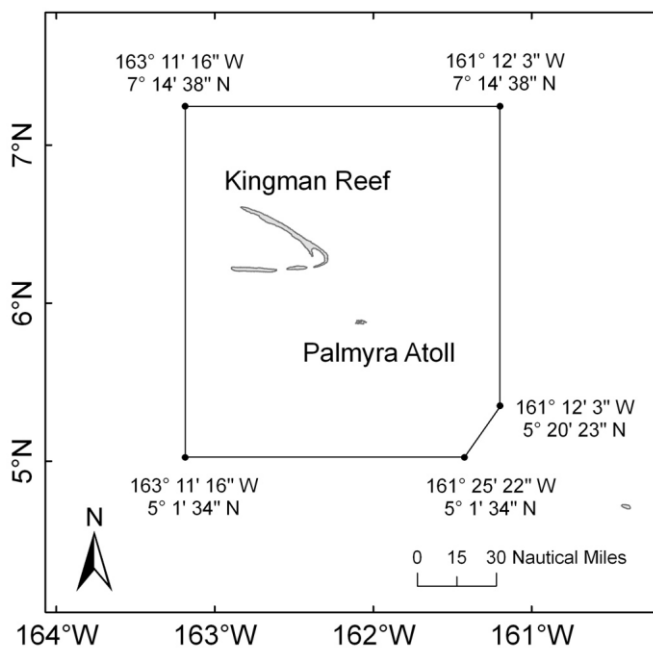
(iv) Johnston Atoll. The Johnston Atoll unit of the Monument includes the waters and submerged and emergent lands around Johnston Atoll within an area defined by straight lines connecting the following coordinates in the order listed:

ID	W. long.	N. lat.
1	170° 24' 37"	17° 35' 39"
2	168° 37' 32"	17° 35' 39"
3	168° 37' 32"	15° 53' 26"
4	170° 24' 37"	15° 53' 26"
1	170° 24' 37"	17° 35' 39"



(v) **Kingman Reef and Palmyra Atoll.** The Kingman Reef and Palmyra Atoll units of the Monument include the waters and submerged and emergent lands around Kingman Reef and Palmyra Atoll within an area defined by straight lines connecting the following coordinates in the order listed:

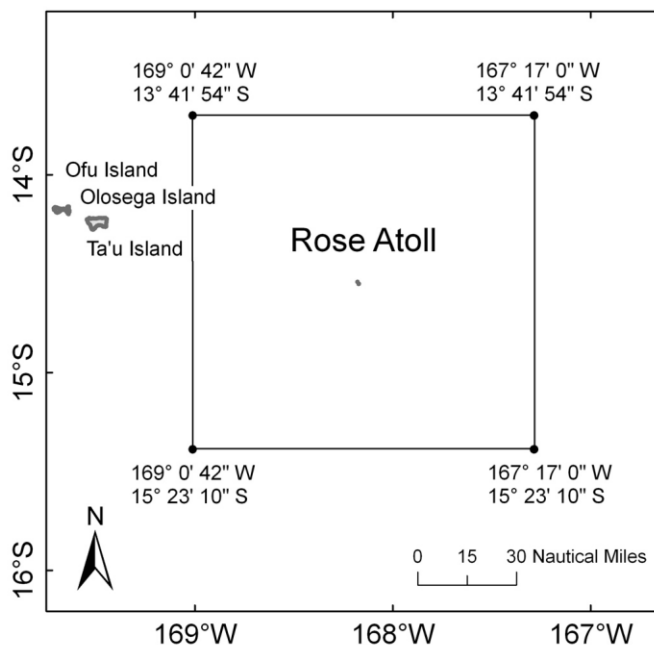
ID	W. long.	N. lat.
1	163° 11' 16"	7° 14' 38"
2	161° 12' 3"	7° 14' 38"
3	161° 12' 3"	5° 20' 23"
4	161° 25' 22"	5° 1' 34"
5	163° 11' 16"	5° 1' 34"
1	163° 11' 16"	7° 14' 38"



3. Rose Atoll Monument

The Rose Atoll Monument consists of emergent and submerged lands and waters extending seaward approximately 50 nm from Rose Atoll. The boundary is defined by straight lines connecting the following coordinates in the order listed:

ID	W. long.	S. lat.
1	169° 0' 42"	13° 41' 54"
2	167° 17' 0"	13° 41' 54"
3	167° 17' 0"	15° 23' 10"
4	169° 0' 42"	15° 23' 10"
1	169° 0' 42"	13° 41' 54"



Q4. Is commercial fishing allowed within the Monuments?

No. Commercial fishing is prohibited in the Pacific Remote Islands and Rose Atoll Monuments, and in the Islands Unit of the Marianas Trench Monument. Commercial fishing in waters of the Trench and Volcanic Units of the Marianas Trench Monument is not prohibited, but commercial fishing regulations governing marine resources in and around the Trench and Volcanic Units areas still apply.

Q5. Are there areas within the Monuments where no fishing is allowed?

Yes. All fishing is prohibited within 12 nm of Rose Atoll. The Council and NMFS may review the Rose Atoll regulations after three years to assess the closure's impacts.

All fishing is also prohibited within 12 nm of the islands in the Pacific Remote Islands Monument, subject to U.S. Fish and Wildlife Service authority to allow non-commercial fishing in consultation with NMFS and the Council.

There are no additional prohibited areas in the Islands Unit of the Marianas Trench Monument.

Q6. Can I fish commercially outside a Monument and non-commercially inside a Monument on the same trip?

No. Conducting commercial fishing outside the Monuments and non-commercial fishing within a Monument during the same trip is prohibited.

Q7. Who needs a permit to fish in a Monument?

Rose Atoll Monument -- Both the owner and operator of a vessel used to fish in the Monument must hold either a non-commercial fishing permit or a recreational charter fishing permit. NMFS may issue a permit only to a community resident of American Samoa or a charter business established legally under the laws of American Samoa.

Pacific Remote Islands Marine National Monument -- Both the owner and operator of a vessel used to fish in the Monument must hold a recreational charter fishing permit. Alternatively, a permit issued under 50 CFR 665.603, 665.624, 665.642, 665.662, or 665.801, will authorize non-commercial fishing within this Monument.

Islands Unit of the Marianas Trench Marine National Monument -- Both the owner and operator of a vessel used to fish in the Monument must hold either a non-commercial fishing permit or recreational charter fishing permit. NMFS may issue a permit only to a community resident of Guam or the Commonwealth of the Northern Mariana Islands (CNMI), or a charter business established legally under the laws of Guam or the CNMI.

A valid permit must be registered to the vessel used to fish non-commercially in a monument. A permit is valid for the period specified on the permit, unless revoked, suspended, or modified under 15 CFR 904. The vessel operator must submit an original log sheet for each day of fishing to the NMFS within 30 days of the end of each fishing trip.

Q8. Is customary exchange allowed in the Monuments?

Yes. Fishermen who harvest fishery resources under a non-commercial fishing permit may engage in customary exchange which helps to preserve traditional, indigenous, and cultural fishing practices, on a sustainable basis. However, customary exchange by fishermen fishing under a recreational charter permit is not allowed.

Customary exchange means the non-market exchange of marine resources between fishermen and community residents, including family and friends of community residents, for goods, and/or services for cultural, social, or religious reasons. Customary exchange may include cost recovery through monetary reimbursements and other means for actual trip expenses, including but not limited to ice, bait, fuel, or food, that may be necessary to participate in fisheries in the western Pacific.

Q9. Can fish that are caught under a recreational charter permit be used for customary exchange?

No. Fish harvested in a Monument under a recreational charter fishing permit may not be used for the purposes of customary exchange.

Q10. Can I fish recreationally from a private boat in a Monument?

Recreational fishing in a Monument is only allowed if the owner and operator of the boat you are fishing from have a valid Monument fishing permit.

Q11. Are Monument permits transferrable?

No. Monument permits cannot be transferred.

Q12. Is there a fee to apply for a Monument permit?

PIRO will charge a non-refundable processing fee for each application (including renewals) for each permit. The amount of the fee is calculated in accordance with the procedures of the NOAA Finance Handbook for determining the administrative costs incurred in processing the permit. The appropriate fee is specified with each application form and must accompany each application. Failure to pay the fee will preclude the issuance or renewal of any of the Monument permits.

Q13. How long is the permit valid?

Monument permits will be valid for the period specified on the permit unless revoked, suspended, or modified under 15 CFR part 904.

Q14. How do I get a permit to fish in a Monument?

Permits are issued by the NMFS Pacific Islands Regional Office (PIRO), (see contact info), and online at (www.fpir.noaa.gov/SFD/SFD_permits_index.html).

Completed applications may be mailed or hand-delivered to PIRO. Your permit will be processed upon receipt of a completed application. Permits will generally be mailed to applicants. For questions regarding permits, please call PIRO permits at (808) 944-2275 or email PIRO-permits@noaa.gov.

Q15. What are the required fishing record forms?

The operator of any fishing vessel used to take, retain, or possess Management Unit Species (MUS) in the Rose Atoll and Pacific Remote Islands Monuments and the Islands Unit of the Mariana Trench Monument must maintain an accurate and complete record of catch, effort, and other data on report forms provided by NMFS. All information specified on the forms must be recorded within 24 hours after the completion of the fishing day. Each form must be signed and dated by the fishing vessel operator. The original logbook form for each day of fishing within monument waters must be submitted to NMFS, either directly or through a facilitating office, within 30 days of each landing.

Q16. Where do I get the fishing logbooks?

Logbooks are supplied by the NMFS Pacific Islands Fisheries Science Center. See contact info.

Q17. Can I get a Monument permit application or logbook if I do not have access to the Internet and live in the Mariana Islands or American Samoa?

Yes. You can call or fax PIRO and ask for a permit application to be mailed to you. See contact info. At this time, all permit applications and logbooks will be processed at NMFS in Honolulu.

Contact Info

To obtain additional copies of this guide, permit applications, logbooks, or more information on these regulations contact:

NMFS Pacific Islands Regional Office
1601 Kapiolani Blvd. 1110
Honolulu, HI 96814
Ph: (808) 944-2200
Fax: (808) 973-2941
Web: www.fpir.noaa.gov/SFD/SFD_regs_2.html

NMFS Pacific Islands Fisheries Science Center
2570 Dole St.
Honolulu, HI 96822
Ph: (808) 983-5330
Fax: (808) 983-2902
Web: www.pifsc.noaa.gov